

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:23-CV-897

IN RE:)
CAMP LEJEUNE WATER LITIGATION)
)
This Pleading Relates to:)
ALL CASES)

**PLAINTIFFS' LEADERSHIP GROUP'S MOTION TO COMPEL DOCUMENT
PRODUCTION IN RESPONSE TO SEVENTH SET OF REQUEST FOR PRODUCTION**

Pursuant to Rule 37(a)(3)(B) of the Federal Rules of Civil Procedure, Local Civil Rule 7.1(c)(1), and United States Magistrate Judge Robert B. Jones Jr.'s Amended Order entered on November 21, 2023, the Plaintiffs' Leadership Group ("PLG") hereby moves the Court for an order compelling the government to produce all non-privileged documents responsive to the PLG's Seventh Request for Production ("Seventh RFP") and to log all responsive documents withheld on the basis of privilege. In support of this motion, the PLG shows as follows:

1. The PLG is finalizing the depositions of key government personnel involved in various ways with the Camp Lejeune water contamination disaster. During these depositions, a recurring pattern has developed where deponents possess clearly discoverable documents that have not been previously produced in discovery.

2. In order to address this recurring problem, the PLG served the Seventh RFP on June 18, 2024. The Seventh RFP contained a list of ten key witnesses who the PLG either previously or imminently will depose. The Seventh RFP asked the government to make contact with these ten key witnesses and produce responsive documents in each witness's possession.

3. The Seventh RFP is designed to address the very real, practical problem of witnesses appearing at depositions in possession of highly relevant but previously unproduced documents. The Seventh RFP should have been uncontroversial.

4. Unfortunately, the government has refused to produce substantial categories of documents that are responsive to the Seventh RFP. As such, the PLG is at the disadvantage of taking depositions of key witnesses without possessing all relevant documents in each witness's possession.

5. As required by Local Civil Rule 7.1, this motion is accompanied by a supporting Memorandum of Law.

6. The PLG and the government have participated in multiple meet-and-confer conferences concerning the Seventh RFP. Undersigned counsel certify that there has been a good faith effort to resolve this discovery dispute prior to the filing of the present motion.

WHEREFORE, the PLG respectfully prays the Court as follows:

1. That the government be ordered to produce all non-privileged documents and files responsive to the Seventh RFP;

2. That the government be ordered to log all documents and files responsive to the Seventh RFP that are withheld on the basis of privilege; and

3. For such other and further relief as the Court deems just and proper.

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DATED this 8th day of August, 2024.

/s/ J. Edward Bell, III

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CERTIFICATE OF SERVICE

I, J. Edward Bell, III, hereby certify that the foregoing document was electronically filed on the Court's CM/ECF system on this date, and that all counsel of record will be served with notice of the said filing via the CM/ECF system.

This the 8th day of August, 2024.

/s/ J. Edward Bell, III

J. Edward Bell, III